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February 11, 1999

WRITER'S DIRECT NUMBER:
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Assistant Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application
Appl. No. 09/126,945; Filed: July 31, 1998
For: **Prostate Derived Ets Factor**
Inventors: LIBERMANN *et al.*
Our Ref: 1488.1090000/EKS/KLM

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement;
2. Form PTO-1449 (14 sheets);
3. 40 documents (AR1-AR14); and
4. One return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

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Assistant Commissioner for Patents


February 11, 1999

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ll 36,658


Kimberlin L. Morley
Attorney for Applicants
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Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LIBERMANN *et al.*

Appl. No. 09/126,945

Filed: July 31, 1998

For: **Prostate Derived Ets Factor**

Art Unit: 1633

Examiner: To be assigned

Atty. Docket: 1488.1090000/EKS/KLM



Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

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FEB 16 1999

Sir:

MAILING CENTER
SERVICE CENTER

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

Applicants also wish to bring to the attention of the Examiner that SEQ ID NO:1 and the corresponding clones of the captioned application may be related to 1) SEQ ID NOS:148 and 545 in co-pending U.S. Patent Application No. 09/189,834, filed on November 12, 1998; 2) SEQ ID NO:11679 in co-pending U.S. Patent Application No. 08/276,163, filed on July 15, 1994; 3) SEQ ID NOS:3596 and 3603 in co-pending U.S. Patent Application No. 08/346,731, filed on November 21, 1994; 4) SEQ ID NO:1828 in co-pending U.S. Patent Application No. 08/799,180, filed on February 12, 1997; 5) SEQ ID NO:1834 in co-pending U.S. Patent Application No. 08/985,366, filed on December 4, 1997; 6) SEQ ID NO:1119 in co-pending U.S. Patent Application No. 09/076,898, filed on May 13, 1998; 7) SEQ ID NO:2940 in co-pending U.S. Patent Application No. 09/078,617, filed on May 14, 1998; 8) SEQ ID NO:1627

in co-pending U.S. Patent Application No. 08/196,481, filed on February 15, 1994; 9) SEQ ID NO:4596 in co-pending U.S. Patent Application No. 08/971,050, filed on November 14, 1997; 10) SEQ ID NO:3718 in co-pending U.S. Patent Application No. 08/790,776, filed on January 30, 1997; 11) SEQ ID NOS:2728 and 3770 in co-pending U.S. Patent Application No. 08/971,197, filed on November 14, 1997; 12) SEQ ID NO: 4724 in co-pending U.S. Patent Application No. 09/076,897, filed on May 13, 1998; 13) SEQ ID NO:1671 in co-pending U.S. Patent Application No. 08/976,343, filed on November 21, 1997; and 14) SEQ ID NO: 11708 in co-pending U.S. Patent Application No. 08/798,074, filed on February 12, 1997.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that

had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120, 1138 OG 37, 38 (May 19, 1992).

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: 2/11/99

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